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HOUSE BILL 736

48TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2007

INTRODUCED BY

Thomas A. Anderson

AN ACT

RELATING TO VETERANS' AFFAIRS; PROVIDING FOR ASSISTANCE AND
TRAINING RELATED TO DEPLETED URANIUM.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. DEPLETED URANIUM EXPOSURE--ASSISTANCE TO
VETERANS--REPORT TO LEGISLATURE.--

A. As used in this section:

(1) "eligible member" means a member of the
New Mexico national guard who served in the Persian Gulf war,
as defined in 38 USC 101, or in an area designated as a combat
zone by the president of the United States during Operation
Enduring Freedom or Operation Iraqi Freedom;

(2) "depleted uranium" means uranium
containing less uranium-235 than the naturally occurring
distribution of uranium isotopes;

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1 (3) "military physician" includes a physician
2 who is under contract with the United States department of
3 defense to provide physician services to members of the armed
4 forces; and

5 (4) "veteran" means a veteran as defined in
6 Subsection C of Section 9-22-3 NMSA 1978 who served as an
7 eligible member.

8 B. On and after the effective date of this 2007
9 act, the adjutant general and the secretary of veterans'
10 services shall assist any eligible member who has been assigned
11 a risk level I, II or III for depleted uranium exposure by the
12 eligible member or veteran's branch of service, is referred by
13 a military physician or has reason to believe that the eligible
14 member or veteran was exposed to depleted uranium during such
15 service, in obtaining federal treatment services, including a
16 best practice health screening test for exposure to depleted
17 uranium using a bioassay procedure involving sensitive methods
18 capable of detecting depleted uranium at low levels and the use
19 of equipment with the capacity to discriminate between
20 different radioisotopes in naturally occurring levels of
21 uranium and the characteristic ratio and marker for depleted
22 uranium. No state funds shall be used to pay for such tests or
23 such other federal treatment services.

24 C. On or before November 1, 2007, the adjutant
25 general shall submit a report to the appropriate interim

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1 committee of the legislature on the scope and adequacy of
2 training received by members of the New Mexico national guard
3 on detecting whether their service as eligible members is
4 likely to entail, or to have entailed, exposure to depleted
5 uranium. The report shall include an assessment of the
6 feasibility and cost of adding pre-deployment training
7 concerning potential exposure to depleted uranium and other
8 toxic chemical substances and the precautions recommended under
9 combat and noncombat conditions while in a combat zone.

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